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O/C mp/

Atty. Docket No. JP920000420US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: M. Kawahito et al.

Filed: February 27, 2002

Serial No.: 10/085,455

For: **PROGRAM OPTIMIZATION METHOD  
AND COMPILER USING THE PROGRAM  
OPTIMIZATION METHOD**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Group No.: 2122

Box Missing Parts

**RECEIVED**

AUG 13 2002

Technology Center 2100

**CERTIFICATE OF MAILING UNDER 37 CFR 1.53(b)**

I hereby certify that the following attached correspondence comprising:

Supplemental Response to Notice to File Missing Parts of Application

\* Filing date Granted

Copy of USPTO's Notice to File Missing Parts of Nonprovisional Application  
Declaration Under 37 C.F.R. § 147

Copies of Previously Filed Documents

New Executed Assignment Recordation Sheet

Assignment Signed by John C. Whaley

Declaration and Power of Attorney Signed by John C. Whaley

Self-addressed Postcard

is being deposited with the United States Postal Service as first class mail in an envelope  
addressed to:

**Assistant Commissioner for Patents**

**Washington, D.C. 20231**

on July 17, 2002.

\_\_\_\_\_  
Lucille Fourgeot  
(Name of person mailing paper or fee)

*Lucille Fourgeot*  
\_\_\_\_\_  
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**M. KAWAHITO ET AL.**

Serial No.: 10/085,455

Filed: February 27, 2002

For: **PROGRAM OPTIMIZATION  
METHOD AND COMPILER USING  
THE PROGRAM OPTIMIZATION  
METHOD**

Honorable Assistant Commissioner for Patents  
Washington, DC 20231



§ July 17, 2002

§ Docket No. JP920000420US1

§

§ Art Unit: 2122

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**RECEIVED**

AUG 13 2002

Technology Center 2100

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

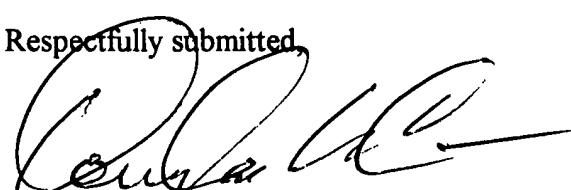
Sir:

Further to our response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, enclosed is the Assignment and Declaration which were just received from John C. Whaley. This is in addition to the original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted, mailed to you on June 26, 2002, copy enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

If there are any issues remaining, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

  
Douglas W. Cameron  
Registration No. 31,596  
Attorney for Applicants  
(914) 945-3244

IBM Corporation  
P. O. Box 218  
Yorktown Heights, NY 10598



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,455	02/27/2002	Motohiro Kawahito	JP920000420US1

DWC

IBM CORPORATION  
INTELLECTUAL PROPERTY LAW DEPT.  
P.O. BOX 218 - 39-254  
YORKTOWN HEIGHTS, NY 10598

CONFIRMATION NO. 1801  
FORMALITIES LETTER



\*OC000000007757357\*

Date Mailed: 04/01/2002

Due 6/1/02

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*W. Corriveau*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

IBM  
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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits...

**1. Article Addressed to:**

John C. Whaley  
151 Calderon Avenue, #194  
Mountain View, California 94941

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

*John C. Whaley*

Agent  
 Addressee

**B. Received by (Printed Name)**

John Whaley

**C. Date of Delivery**

7/11/2002

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

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**4. Restricted Delivery? (Extra Fee)**

Yes

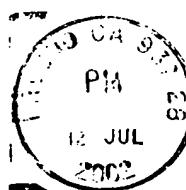
2. Article Number 7001 1940-0002 7123 61941  
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Douglas W. Cameron Esq.  
Intellectual Property Law Dept. 39-2541  
P.O. Box 218  
Yonkers, NY 10598  
10598-0218



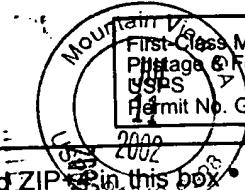
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Douglas W. Cameron, Esq.  
IBM Corporation  
Thomas J. Watson Research Center  
IP Law Dept.  
P. O. Box 218  
Yorktown Heights, NY 10598



JUL 16 2002  
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Response to Notice to File Missing Parts - File Date Granted

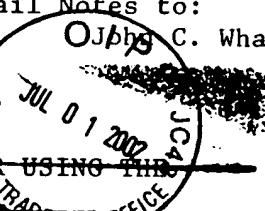
Copy of Notice to File Missing Parts

Declaration Under 37 CFR Section 1.47

15 Copies of Supporting Document and E-Mail Notes to:  
Declaration & Assignment & Transmittal

One Month Extension of Time

PLEASE STAMP & RETURN TO US



In re application of: M. Kawahito et al. ~~PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE~~  
For: PROGRAM OPTIMIZATION METHOD

Serial No.: 10/085,455 Docket No.: JP920000420 Atty.: DWC

Received in the U.S. Patent & Trademark Office: \_\_\_\_\_

No. of pages of specification \_\_\_\_\_ : No. of pages of claims \_\_\_\_\_

No. of sheets of drawings: \_\_\_\_\_

Declaration is attached to specification.

All fees are charged to our Account No. 09-0468

IBM  
YORKTOWN  
PROPERTY  
LAW DEPT.  
JUL 11 AM 9:27



21  
USA

MR. MANNY W. SCHACTER  
IBM CORPORATION  
INTELLECTUAL PROPERTY LAW DEPT.  
P.O. BOX 218  
YORKTOWN HEIGHTS, NEW YORK 10598



**COPY OF PAPERS  
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Atty. Docket No. JP920000420US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of: M. Kawahito et al.**

**Group No.: 2122**

**Filed: February 27, 2002**

**Box Missing Parts**

**Serial No.: 10/085,455**

**For: PROGRAM OPTIMIZATION METHOD  
AND COMPILER USING THE PROGRAM  
OPTIMIZATION METHOD**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 CFR 1.53(b)**

I hereby certify that the following **attached** correspondence comprising:

Response to Notice to File Missing Parts of Application -

Filing date Granted

Copy of USPTO's Notice to File Missing Parts of Nonprovisional Application  
Declaration Under 37 C.F.R. § 147

15 Copies of Supporting Documents and/or Electronic Notes to J.C. Whaley  
Declaration and Power of Attorney

Assignment

Assignment Transmittal Sheet

Petition for One Month Extension of Time

Self-addressed Postcard

is being deposited with the United States Postal Service as first class mail in an envelope  
addressed to:

**Assistant Commissioner for Patents**

**Washington, D.C. 20231**

on June 26, 2002.

Lucille Fourgeot  
(Name of person mailing paper or fee)

Lucille Fourgeot  
(Signature of person mailing paper or fee)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**M. KAWAHITO ET AL.**

Serial No.: 10/085,455

Filed: February 27, 2002

For: **PROGRAM OPTIMIZATION  
METHOD AND COMPILER USING  
THE PROGRAM OPTIMIZATION  
METHOD**

§

Docket No. **JP920000420US1**

§

Art Unit: 2122

§

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Honorable Assistant Commissioner for Patents  
Washington, DC 20231

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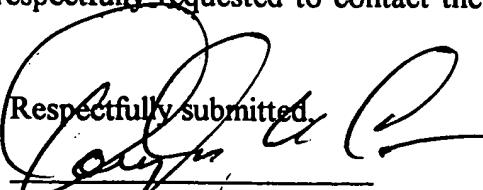
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, Applicants enclose herewith an executed original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted. Also included is a Declaration of Lucille Fourgeot, an employee of the IBM Corporation, which is the assignee of the instant application. The Declaration, which was made pursuant to 37 C.F.R. § 1.47(a), states that John C. Whaley would not sign the original Declaration after several attempts to get him to do so. Evidence supporting the statements in the Declaration is also enclosed.

A Petition for an Extension of Time pursuant to 37 CFR § 1.136 (a) is enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

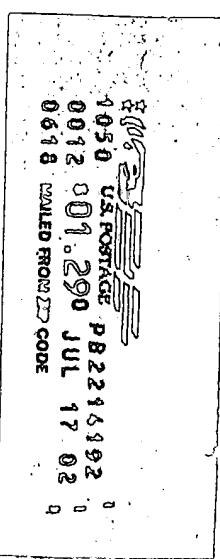
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Respectfully submitted,

Douglas W. Cameron  
Registration No. 31,596  
Attorney for Applicants  
(914) 945-3244

IBM Corporation  
P. O. Box 218  
Yorktown Heights, NY 10598

Thomas J. Peters  
P.O. Box 704  
Vermilion, OH 44080



TRADEMARKS



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,455	02/27/2002	Motohiro Kawahito	JP920000420US1

IBM CORPORATION  
 INTELLECTUAL PROPERTY LAW DEPARTMENT  
 P.O. BOX 218 - 39-254  
 YORKTOWN HEIGHTS, NY 10598



CONFIRMATION NO. 1801

FORMALITIES LETTER



\*OC000000007757357\*

Date Mailed: 04/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

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*Wilborn*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE